

In the last Official Action, the Examiner objected to the disclosure on the grounds of certain informalities. In response, Applicant submits herewith for the Examiner's approval a red-lined version of Figure 1 correcting the matters cited by the Examiner. In addition, Applicant has amended page 20 of the specification to correct the formal matters cited by the Examiner.

In the last Official Action, the Examiner objected to claim 11 on the ground that "said database" was indefinite. In response, Applicant has amended claim 11 to clarify that the central database is being referenced in that claim.

In the last Official Action, the Examiner rejected previous claims 1 to 12 for obviousness in view of Donnelly et al., in view of Srinivasan, and further in view of Applicant's Admitted Prior Art (AAPA). In response, Applicant notes that independent claim 1, as amended herein, includes the limitation of previous claim 5 wherein the "central server processes information associated with a plurality of different unaffiliated organizations." In addition, amended claim 1 recites a central server that "automatically identifies one or more **substitute workers** in response to information representing **absent workers** received via a communication link, and then automatically communicates information representing positions to be filled to **substitute workers**" via a telephone or Internet communication link. For the reasons set forth below, it is respectfully submitted that the subject matter recited of amended claim 1, and in particular the features noted immediately above, are neither shown nor suggested by the references cited by the Examiner.

Initially, it bears emphasis that none of the three references relied upon by the Examiner show a central site that operates to locate substitute workers for a plurality of different unaffiliated organizations such as, for example, different school districts, as recited in the present application. With respect to the Donelly reference, the Examiner has admitted that "Donelly does not specifically show that said organizations are unaffiliated." See Official Action dated May 19, 2000, at page 5. The Srinivasan reference similarly fails to show a central server that provides substitute fulfillment services to multiple unaffiliated organizations. Finally, the AAPA relied upon by the Examiner relates to systems that service only a single school district. The systems disclosed in the AAPA do not service multiple unaffiliated organizations (for example, multiple unaffiliated school districts) as set forth in amended claim 1. Since the aspect of claim 1 relating to use of a central server to perform substitute fulfillment for multiple unaffiliated organizations is not shown in any of the references cited by the Examiner, it is respectfully submitted that the cited prior art fails to establish even a prima facie case of obviousness with respect to claim 1.

In the rejection of previous claim 5, the Examiner asserted that "although Donelly does not specifically show that said organizations are unaffiliated, one of ordinary skill in the art would certainly consider using the system for unaffiliated organizations in order to provide a centralized human resources management system servicing a plurality of organizations." See Office Action, dated May 19, 2000, at page 5. Applicant respectfully disagrees with the Examiner's assertion on this point. The Donelly reference (which is assigned to Unisys, which has a large consulting business) discloses a system for deploying consultants (e.g., consultants that work for Unisys) at a variety of customer sites (i.e., sites of customers where consultants

employed by Unisys are deployed.) Since the Donelly system is designed for managing assignments amongst consultants that work for a single organization (e.g., Unisys), rather than multiple organizations (e.g., different unaffiliated school districts ), it is difficult to see how one viewing the Donelly reference would be motivated to extend it to service a plurality of different unaffiliated organizations. In order to modify Donelly so as to allow it to service multiple unaffiliated organizations, information stored in the databases for each worker would need to include something akin to field 112 (shown in figure 3 of the present application) so as to allow correlation of the different workers stored in the system with different unaffiliated organizations purportedly serviced by the system. The Examiner has failed to point to any reference or teaching that would suggest implementing such a modification in Donelly so as to arrive at the invention of amended claim 1.

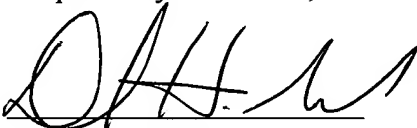
As a further matter, it is respectfully submitted that there would be no motivation to combine the two prior art patents cited by the Examiner with the AAPA in order to arrive at the invention of amended claim 1. In this regard, it bears noting that amended claim 1 recites a central server that "automatically identifies one or more **substitute workers** in response to information representing **absent workers** received via a communication link, and then automatically communicates information representing positions to be filled to **substitute workers** via a telephone or Internet communication link. It is respectfully submitted that these two aspects of the invention are neither shown nor suggested by Donelly or Srinivasan. The Donelly reference does not relate to fulfillment of substitute worker requests or replacement of absent workers, but rather relates to identification of workers for regular or ongoing assignments. Accordingly, there is no disclosure in Donelly of (i) any system for receiving information about

absent workers, (ii) any system for automatically identifying substitute workers in response to received information about absent workers, or (iii) any system for automatically communicating information representing positions to be filled to substitute workers via an electronic link.

These aspects of amended claim 1 are similarly absent from the Srinivasan reference. Given that neither of the two prior art patents cited by the Examiner address the problem of substitute worker fulfillment, there would appear to be no motivation for combining these references with the AAPA, as the AAPA and the prior art patents cited by the Examiner deal with different problems (i.e., the two prior art patents cited by the Examiner address the assignment of employees to ongoing or permanent assignments, whereas the AAPA addresses the problem of identifying substitute workers in cases where an absent worker that would normally fill a position is temporarily unable to report to work.)

In view of the foregoing, it is respectfully submitted that all pending independent claims are patentable over the cited references and, therefore, in condition for allowance. In addition, it is respectfully submitted that all dependent claims are allowable because such claims depend from an allowable base claim. Favorable consideration of the present application is therefore requested, and a notice of allowance is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D.H. Golub', written over a horizontal line.

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Dated: August 11, 2000